

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DARRELL LEE INGMIRE-LOPEZ,

Petitioner,

v.

WHATCOM COUNTY JAIL,

Respondent.

CASE NO. C24-0305-JCC

ORDER

This matter comes before the Court on objections (Dkt. No. 24) to the Report and Recommendation (“R&R”) of the Honorable S. Kate Vaughan, U.S. Magistrate Judge (Dkt. No. 23). Judge Vaughan recommends the Court dismiss Darrell Lee Ingmire-Lopez’s habeas petition, brought pursuant to 28 U.S.C. § 2254. (*See id.* at 5.) Mr. Ingmire-Lopez objects. (*See* Dkt. No. 24.) Having thoroughly considered the relevant record, the Court **OVERRULES** the objections, **ADOPTS** the R&R, and **DISMISSES** the petition with prejudice.

According to the R&R, Mr. Ingmire-Lopez has made a series of unintelligible submissions. (*See* Dkt. No. 23 at 1–2). Judge Vaughan ordered Mr. Ingmire-Lopez to file a proper pleading and clarify the type of action he intended to pursue. (*See id.* at 2) (citing Dkt. Nos. 8-1, 8-2) (pleading template forms). He did not do so. The resulting submission (Dkt. No. 21) suffers the same deficiencies as previously identified. On this basis, Judge Vaughan recommends that the petition be dismissed for failure to present a viable pleading. (*See* Dkt. No.

23 at 5).

In lodging an objection, Mr. Ingmire-Lopez does not meaningfully address possible error with Judge Vaughan’s findings or recommendation. (*See generally* Dkt. No. 24.) Instead, he lodges non-responsive arguments about the merits of his claims that do not improve the form in which they are filed nor clarify the action itself. (*Id.*) This is insufficient to trigger *de novo* review of the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *see also* Fed. R. Civ. P. 72(b)(2) (a party properly objects by filing “specific written objections”); *Simpson v. Lear Astronics Corp.*, 77 F.3d 1170, 1175–76 (9th Cir. 1996) (describing the requirements for an effective objection). Accordingly, this Court need not consider Mr. Fuller’s objections and, by extension, the petition.

The Court, therefore, OVERRULES Mr. Ingmire-Lopez’s objections (Dkt. No. 24), ADOPTS the R&R (Dkt. No. 23), DISMISSES the § 2254 petition, STRIKES as moot the application for leave to proceed *in forma pauperis* (Dkt. No. 4) and the request to dismiss this action (Dkt. No. 22), and, finally, DIRECTS the Clerk to send copies of this order to Mr. Ingmire-Lopez and Judge Vaughan.

DATED this 27th day August 2024.

A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE